



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB5513

Introduced 2/9/2010, by Rep. Robert Rita

SYNOPSIS AS INTRODUCED:

225 ILCS 317/15
225 ILCS 317/20
225 ILCS 317/120 rep.

Amends the Fire Sprinkler Contractor Licensing Act. Provides that any person who holds a license under the Act on the effective date of the amendatory Act must have a designated certified person in place who meets the requirements of the Act concerning designated certified persons within 180 days after the effective date of the amendatory Act. Specifies that a designated certified person must be a salaried, and not contractual, employee of the licensee at a business location with a valid license. Repeals grandfather clause.

LRB096 17759 ASK 33126 b

1 AN ACT concerning professional regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Fire Sprinkler Contractor Licensing Act is
5 amended by changing Sections 15 and 20 as follows:

6 (225 ILCS 317/15)

7 Sec. 15. Licensing requirements.

8 (a) It shall be unlawful for any person or business to
9 engage in, advertise, or hold itself out to be in the business
10 of installing or repairing fire sprinkler systems in this State
11 after 6 months after the effective date of this Act, unless
12 such person or business is licensed by the State Fire Marshal.
13 This license must be renewed every year. Any person who holds a
14 license under this Act on the effective date of this amendatory
15 Act of the 96th General Assembly must have a designated
16 certified person in place who meets the requirements of Section
17 20 of this Act within 180 days after the effective date of this
18 amendatory Act of the 96th General Assembly.

19 (b) In order to obtain a license, a person or business must
20 submit an application to the State Fire Marshal, on a form
21 provided by the State Fire Marshal containing the information
22 prescribed, along with the application fee.

23 (c) A business applying for a license must have a

1 designated certified person employed at the business location
2 and the designated certified person shall be identified on the
3 license application.

4 (d) A person or business applying for a license must show
5 proof of having liability and property damage insurance in such
6 amounts and under such circumstances as may be determined by
7 the State Fire Marshal. The amount of liability and property
8 damage insurance, however, shall not be less than the amount
9 specified in Section 35 of this Act.

10 (e) A person or business applying for a license must show
11 proof of having workers' compensation insurance covering its
12 employees or be approved as a self-insurer of workers'
13 compensation in accordance with the laws of this State.

14 (f) A person or business so licensed shall have a separate
15 license for each business location within the State or outside
16 the State when the business location is responsible for any
17 installation or repair of fire sprinkler systems performed
18 within the State.

19 (g) When an individual proposes to do business in her or
20 his own name, a license, when granted, shall be issued only to
21 that individual.

22 (h) If the applicant requesting licensure to engage in
23 contracting is a business organization, such as a partnership,
24 corporation, business trust, or other legal entity, the
25 application shall state the name of the partnership and its
26 partners, the name of the corporation and its officers and

1 directors, the name of the business trust and its trustees, or
2 the name of such other legal entity and its members and shall
3 furnish evidence of statutory compliance if a fictitious name
4 is used. Such application shall also show that the business
5 entity employs a designated certified person as required under
6 Section 20. The license, when issued upon application of a
7 business organization, shall be in the name of the business
8 organization and the name of the qualifying designated
9 certified person shall be noted thereon.

10 (i) No license is required for a person or business that is
11 engaged in the installation of fire sprinkler systems only in
12 single family or multiple family residential dwellings up to
13 and including 8 family units that do not exceed 2 1/2 stories
14 in height from the lowest grade level.

15 (j) All fire protection system layout documents of fire
16 sprinkler systems, as defined in Section 10 of this Act, shall
17 be prepared by (i) a professional engineer who is licensed
18 under the Professional Engineering Practice Act of 1989, (ii)
19 an architect who is licensed under the Illinois Architecture
20 Practice Act of 1989, or (iii) a holder of a valid NICET level
21 3 or 4 certification in fire protection technology automatic
22 sprinkler system layout who is either licensed under this Act
23 or employed by an organization licensed under this Act.

24 (Source: P.A. 94-367, eff. 1-1-06.)

1 Sec. 20. Designated certified person requirements.

2 (a) A designated certified person must either be a current
3 Illinois licensed professional engineer or hold a valid NICET
4 level 3 or higher certification in "fire protection technology,
5 automatic sprinkler system layout".

6 (b) At least one member of every firm, association, or
7 partnership and at least one corporate officer of every
8 corporation engaged in the installation and repair of fire
9 sprinkler systems must be a designated certified person.

10 (c) A designated certified person must be a salaried, and
11 not contractual, employee of ~~employed by~~ the licensee at a
12 business location with a valid license.

13 (d) A designated certified person must perform his or her
14 normal duties at a business location with a valid license.

15 (e) A designated certified person may only be the
16 designated certified person for one business location and one
17 business entity.

18 (f) A designated certified person must be directly involved
19 in supervision. The designated certified person does not,
20 however, have to be at the site of the installation or repair
21 of the fire sprinkler system at all times.

22 (Source: P.A. 92-871, eff. 1-3-03.)

23 (225 ILCS 317/120 rep.)

24 Section 990. The Fire Sprinkler Contractor Licensing Act is
25 amended by repealing Section 120.